

MESSAGE NO: 0034206 MESSAGE DATE: 02/03/2000

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-054

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1986 TO 07/31/1987

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR TAPERED ROLLER BEARINGS FROM JAPAN (A-588-054)

MESSAGE NO: 0034206

DATE: 02 03 2000

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 588 - 054

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PERIOD COVERED: 08 01 1986 TO 07 31 1987

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATION INSTRUCTIONS FOR TAPERED ROLLER BEARINGS
FROM JAPAN (A-588-054)

1. FOR ALL SHIPMENTS OF TAPERED ROLLER BEARINGS, LESS THAN FOUR INCHES IN OUTSIDE DIAMETER, AND COMPONENTS THEREOF, FROM JAPAN PRODUCED/EXPORTED BY NSK LTD. (FORMERLY NIPPON SEIKO K.K.), KOYO SEIKO CO., LTD., TOYOTA MOTOR SALES CO., LTD., ISUZU MOTORS LTD., AND NISSAN MOTOR CO., LTD., IMPORTED BY ALL IMPORTERS, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/01/86 THROUGH 07/31/87, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO THE PERCENTAGES LISTED BELOW OF THE ENTERED VALUE.

MANUFACTURER/EXPORTER: NSK LTD. (FORMERLY NIPPON SEIKO K.K.)

A-588-054-036

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	08/01/86 - 07/31/87	15.41

MANUFACTURER/EXPORTER: KOYO SEIKO CO., LTD.

A-588-054-017

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	08/01/86 - 07/31/87	40.89

EXPORTER: TOYOTA MOTOR SALES CO., LTD.

A-588-054-054

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	08/01/86 - 07/31/87	1.11

EXPORTER: ISUZU MOTORS LTD.

A588-054-012

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	08/01/86 - 07/31/87	40.89

EXPORTER: NISSAN MOTORS CO., LTD.

A-588-054-038

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	08/01/86 - 07/31/87	3.29

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778, WHICH WENT INTO EFFECT WITH THE TRADE AGREEMENTS ACT OF 1979 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS

DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF THE ANTIDUMPING FINDING. IN ADDITION, THE INTEREST PROVISIONS APPLY ONLY TO ENTRY SUMMARIES FOR WHICH A CASH DEPOSIT WAS REQUIRED FOR ESTIMATED ANTIDUMPING DUTIES. BECAUSE THE A-588-054 ANTIDUMPING FINDING WAS ESTABLISHED PRIOR TO THE TRADE AGREEMENTS ACT OF 1979 AND THE DEPARTMENT OF COMMERCE DID NOT REQUIRE A CASH DEPOSIT OF ESTIMATED ANTIDUMPING DUTIES ON MERCHANDISE PRODUCED/EXPORTED BY NSK AND KOYO UNTIL JUNE 1, 1990, ENTRIES OF MERCHANDISE PRODUCED/EXPORTED BY NSK AND KOYO WERE PERMITTED AND WERE MADE UNDER BOND FOR THE ANTIDUMPING DUTIES. AS A RESULT, INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF ANTIDUMPING DUTIES DOES NOT APPLY TO SHIPMENTS OF MERCHANDISE PRODUCED/EXPORTED BY NSK AND KOYO THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO JUNE 1, 1990. THIS INCLUDES ALL NSK AND KOYO ENTRIES SUBJECT TO THESE INSTRUCTIONS. BECAUSE THE DEPARTMENT OF COMMERCE REQUIRED A CASH DEPOSIT OF ESTIMATED ANTIDUMPING DUTIES FOR ENTRIES OF MERCHANDISE EXPORTED BY TOYOTA, ISUZU, AND NISSAN PRIOR TO 08/01/86, INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF ANTIDUMPING DUTIES APPLIES TO ALL ENTRIES OF MERCHANDISE EXPORTED BY TOYOTA, ISUZU, AND NISSAN SUBJECT TO THESE INSTRUCTIONS. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER

FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29)
FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION,
CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE
ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS
OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE
APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY
LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC
AND INTERESTED PARTIES SHOULD CONTACT DEBORAH SCOTT AT 202-
482-2657, OF THE OFFICE OF AD/CVD ENFORCEMENT, GROUP III,
OFFICE 8, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, DEPARTMENT OF COMMERCE.

6. THERE ARE NO RESTRICTIONS TO THE RELEASE OF THIS
INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party